

2003 DRAFTING REQUEST

Bill

Received: **12/23/2002**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-1103**

By/Representing: **Milioto**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Milioto - BB0294,

Topic:

Medical College of Wisconsin capitation program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 12/27/2002	jdye 12/30/2002		_____			State
/1			pgreensl 12/30/2002	_____	lemery 12/30/2002		

FE Sent For:

<END>

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1?	gmalaise	1/31 jld	12/30 ps	12/30 ps/12			

FE Sent For:

<END>

Drafting Request to the Legislative Reference Bureau

<u>Date:</u>	December 23, 2002
<u>Topic:</u>	Changes to Medical College's Capitation Program.
<u>Agency:</u>	Medical College (250)
<u>Team:</u>	EDU
<u>Analyst:</u>	Steve Milioto (6-1103)

Brief Description of Intent:

Delete the highlighted sections on the attached sheet. The intent of this draft is to give the Medical College greater flexibility in managing this appropriation given that the appropriation will be reduced by 50% in the biennial budget bill to achieve GPR spending reductions.

BB 0294

AM 39,155 (2)

RP 39,155 (3)

16.858 and 16.895, and to repay to the energy efficiency fund loans made to the society under s. 16.847 (6).

(e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities of the historical society related to executive and administrative services.

(g) *Admissions, sales and other receipts.* The amounts in the schedule for general program operations related to executive and administrative services. All moneys received from admissions, sales, fines and other moneys received by the society for executive and administrative services, except moneys that are otherwise specifically appropriated by law, shall be credited to this appropriation.

(h) *Gifts and grants.* All moneys received by the historical society from gifts, grants or bequests, except moneys that are otherwise specifically appropriated, for purposes related to executive and administrative services of the society.

(k) *General program operations — service funds.* All moneys received by the historical society from the historical society and from other state agencies to carry out the purposes for which received.

(m) *General program operations; federal funds.* All federal funds received for executive and administrative services as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

(pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

(q) *Endowment principal.* As a continuing appropriation, from the historical society trust fund, all moneys, securities and other assets received, to be credited to the appropriations under par. (r) or sub. (1) (r), (2) (r), (3) (r) or (5) (r), in accordance with the purposes for which the assets are received.

(r) *Endowment.* As a continuing appropriation, from the historical society trust fund, all moneys transferred from the appropriation under par. (q) for executive and administrative services and all moneys transferred from the appropriation under par. (q) for which no specific purpose is stipulated, for the purpose of carrying out executive and administrative services.

(s) *Transfer to historical society endowment fund.* From the historical legacy trust fund, a sum sufficient to make the transfers required under s. 44.025 (2) (b).

(t) *Historical legacy program.* From the historical society endowment fund, a sum sufficient equal to the earnings credited to the fund under s. 25.14 (3), for the historical legacy program under s. 44.025.

(5) **MUSEUM.** (a) *General program operations.* The amounts in the schedule for general program operations of the historical society museum.

(c) *Energy costs.* The amounts in the schedule to be used at the historical society museum to pay for utilities and for fuel, heat and air conditioning, to pay costs incurred by or on behalf of the historical society under ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the society under s. 16.847 (6).

(e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities of the historical society related to the museum.

(g) *Admissions, sales and other receipts.* All moneys received from admissions, sales and other receipts generated by the historical society museum, to be used for the operation and maintenance of the historical society museum.

(h) *Gifts and grants.* All moneys received from gifts and grants, except moneys that are otherwise specifically appropriated, for purposes related to the historical society museum.

(k) *Funds received from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received.

(m) *General program operations; federal funds.* All federal funds received for the historical society museum as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

(r) *Endowment.* As a continuing appropriation, from the historical society trust fund, all moneys transferred from the appropriation under sub. (4) (q) for the historical society museum.

History: 1971 c. 100 s. 23; 1971 c. 125; 1973 c. 30, 90; 1975 c. 39, 224; 1977 c. 29; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27; 1985 a. 29, 316; 1987 a. 27, 395, 399; 1989 a. 31; 1991 a. 39, 226, 269, 315; 1993 a. 16, 257, 399, 471, 490; 1995 a. 3, 27, 216; 1997 a. 27, 237; 1999 a. 9.

20.250 Medical College of Wisconsin. There is appropriated to the medical college of Wisconsin, inc., for the following program:

(1) **TRAINING OF HEALTH PERSONNEL.** (a) *General program operations.* The amounts in the schedule for medical education, teaching and research as provided under s. 39.155. From this appropriation, an amount of \$10,091 in the 1989-90 fiscal year and annually thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition. The number of Wisconsin residents enrolled at the college in each academic year to be funded under this appropriation shall be determined by multiplying the total number of students enrolled at the college by 0.56, but may not exceed 416.

(b) *Family medicine and practice.* The amounts in the schedule for the development and operation of family practice residency programs.

(e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in aiding the construction of a basic science education facility and in aiding the funding of a health information technology center.

(k) *Tobacco-related illnesses.* All moneys received from the tobacco control board under s. 255.15 (3) (a) 4., for tobacco use prevention and cessation activities.

History: 1971 c. 125; 1975 c. 39, 40, 224; 1977 c. 29; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27; 1985 a. 29, 120; 1989 a. 31; 1991 a. 39; 1993 a. 16, 184; 1995 a. 27, 225; 1999 a. 9.

20.255 Public instruction, department of. There is appropriated to the department of public instruction for the following programs:

(1) **EDUCATIONAL LEADERSHIP.** (a) *General program operations.* The amounts in the schedule for the improvement of curriculum, instruction and educational resources for local educational agencies and the improvement of library services. The amounts include the matching of federal funds available under applicable federal acts or programs.

(b) *General program operations; School for the Deaf and Center for the Blind and Visually Impaired.* The amounts in the schedule for the operation and maintenance of the Wisconsin School for the Deaf and the Wisconsin Center for the Blind and Visually Impaired, including the matching of federal funds, but not including expenses financed under par. (js).

(c) *Energy costs; School for the Deaf and Center for the Blind and Visually Impaired.* The amounts in the schedule to be used at the Wisconsin School for the Deaf and the Wisconsin Center for the Blind and Visually Impaired to pay for utilities and for fuel, heat and air conditioning, to pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the department under s. 16.847 (6).

(d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, develop-

Malaise, Gordon

From: Milioto, Steve
Sent: Friday, December 27, 2002 8:32 AM
To: Malaise, Gordon
Subject: RE: Medical College of Wisconsin Capitation Program

Hi Gordon --

Let's go w/ the first option (reworking s. 39.155 (2) and (3).) The second option won't work because HEAB may not be long for this world. Best, Steve

-----Original Message-----

From: Malaise, Gordon
Sent: Thursday, December 26, 2002 4:51 PM
To: Milioto, Steve
Subject: Medical College of Wisconsin Capitation Program

Steve:

I have received the above-captioned drafting request and have detected what appears to be a problem with eliminating from s. 20.250 (1) (a) the specific amount to be disbursed under s. 39.155 for each student. The problem is that eliminating the specific amount creates a conflict with s. 39.155 (2) insofar as that provision refers to prorating payments if the appropriation is insufficient to pay "the amount *specified* to be disbursed under s. 20.250 (1) (a) . . ." Obviously, one cannot determine whether the appropriation is sufficient to pay a specified amount per student if no amount is specified.

Similarly, eliminating the specified amount in s. 20.250 (1) (a) creates a conflict with s. 39.155 (3) because that provision refers to "the *difference* between the tuition assessed a nonresident student . . . and the amount disbursed under s. 20.250 (1) (a) . . .". Again, obviously, one cannot calculate the difference between nonresident tuition and an unspecified amount.

There are a couple of ways to remedy these conflicts. One would be to draft s. 20.250 (1) (a) as requested and to conform s. 39.155 (2) and (3) by eliminating the reference in s. 39.155 (2) to the amount specified in s. 20.250 (1) (a) and by repealing sub. (3).

The other method would be to amend s. 39.155 (1) to require HEAB to specify a per capita amount annually and to refer in s. 20.250 (1) (a) to "the amount determined by HEAB under s. 39.155 (1) . . .".

After you have had a chance to think this over, let me know how you want to proceed.

Gordon M. Malaise
Senior Legislative Attorney
Legislative Reference Bureau
266-9738



State of Wisconsin
2003 - 2004 LEGISLATURE

NOTE

LRB-1263/70
GMM.....
jld

DOA:.....Milioto – BB0294, Medical College of Wisconsin capitation program
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
EDUCATION ✓

OTHER EDUCATIONAL AND CULTURAL AGENCIES ✓

* Under current law, there is appropriated to the Medical College of Wisconsin, Inc. (Medical College) certain general purpose revenue (GPR) for medical education, training, and research. From that appropriation, \$10,091 must be disbursed in each fiscal year for each Wisconsin resident who is paying full tuition in pursuit of a doctor of medicine (M.D.) degree from the Medical College, except that, if the amount appropriated is insufficient to pay \$10,091 per student, the payments must be disbursed on a prorated basis for each eligible student. Current law caps the number of Wisconsin residents who may be funded under that appropriation at a number that is determined by multiplying the total number of students enrolled at the Medical College by 0.56 or at 416, whichever is less. Current law also caps the tuition that the Medical College may assess for a Wisconsin resident at an amount that is no more than the difference between \$10,091 and the tuition assessed a nonresident. *

This bill eliminates the amount that must be disbursed in each fiscal year from the GPR appropriation to the Medical College for each Wisconsin resident who is paying full tuition in pursuit of M.D. degree from the Medical College, the cap on the number of Wisconsin residents who may be funded under that appropriation, and the cap on the tuition that the Medical College may assess for a Wisconsin resident.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.250 (1) (a)[✓] of the statutes is amended to read:

2 20.250 (1) (a) *General program operations.* The amounts in the schedule for
3 medical education, teaching, and research as provided under s. 39.155.[✓] ~~From this~~
4 ~~appropriation, an amount of \$10,091 in the 1989-90 fiscal year and annually~~
5 ~~thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as~~
6 ~~a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition.~~
7 ~~The number of Wisconsin residents enrolled at the college in each academic year to~~
8 ~~be funded under this appropriation shall be determined by multiplying the total~~
9 ~~number of students enrolled at the college by 0.56, but may not exceed 416.~~

History: 1971 c. 125; 1975 c. 39, 40, 224; 1977 c. 29; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27; 1985 a. 29, 120; 1989 a. 31; 1991 a. 39; 1993 a. 16, 184; 1995 a. 27, 225; 1999 a. 9; 2001 a. 16, 103.

10 **SECTION 2.** 39.155 (1)[✓] of the statutes is amended to read:

11 39.155 (1) ~~Subject to sub. (3),~~[✓] All funds appropriated to the Medical College
12 of Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita[✓] formula for
13 an amount for each Wisconsin resident enrolled at the college who is paying full
14 tuition. A student's qualification as a resident of this state shall be determined by
15 the higher educational aids board in accordance with s. 36.27, so far as applicable.

History: 1973 c. 333; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198, 224; 1977 c. 29; 1979 c. 34; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1989 a. 56; 1991 a. 269; 1995 a. 27; 1997 a. 27; 2001 a. 103.

16 **SECTION 3.** 39.155 (2)[✓] of the statutes is amended to read:

17 39.155 (2) On or before January 15 and September 15 of each year, the Medical
18 College of Wisconsin, Inc., shall submit to the higher educational aids board for its
19 approval a list of the Wisconsin residents enrolled at the college who are paying full
20 tuition. The state shall make semiannual payments to the Medical College of

1 Wisconsin, Inc., from the appropriation under s. 20.250 (1) (a), upon approval of the
2 list. ~~If the appropriation under s. 20.250 (1) (a) is insufficient to pay the amount~~
3 ~~specified to be disbursed under s. 20.250 (1) (a), the payments shall be disbursed on~~
4 ~~a prorated basis for each student entitled to such aid.~~ ✓ No more than 8 such payments
5 may be made to the Medical College of Wisconsin, Inc., from the appropriation under
6 s. 20.250 (1) (a), for any individual student.

History: 1973 c. 333; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198, 224; 1977 c. 29; 1979 c. 34; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1989 a. 56; 1991 a. 269; 1995 a. 27; 1997 a. 27; 2001 a. 103.

7 SECTION 4. 39.155 (3) of the statutes is repealed.

8

(END)

D-note
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1263/1dn

GMM...:~:~:~

date

JLD

Steve:

On further review, the sentence specifying the per capita amount to be expended from the appropriation under s. 20.250 (1) (a) may be removed in its entirety because the concept of a per capita formula, but without the amount specified, is also covered in s. 39.155 (1).

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1263/1dn
GMM:jld:pg

Dec 30, 2002

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1263/1
GMM:jld:pg

DOA:.....Milioto – BB0294, Medical College of Wisconsin capitation program
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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This bill eliminates the amount that must be disbursed in each fiscal year from the GPR appropriation to the Medical College for each Wisconsin resident who is paying full tuition in pursuit of M.D. degree from the Medical College, the cap on the number of Wisconsin residents who may be funded under that appropriation, and the cap on the tuition that the Medical College may assess for a Wisconsin resident.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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3 ~~a prorated basis for each student entitled to such aid.~~ No more than 8 such payments
4 may be made to the Medical College of Wisconsin, Inc., from the appropriation under
5 s. 20.250 (1) (a), for any individual student.

6 **SECTION 4.** 39.155 (3) of the statutes is repealed.

7 (END)